

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 3	
2. AMENDMENT/MODIFICATION NO. 0001		3. EFFECTIVE DATE 20-Apr-2001		4. REQUISITION/PURCHASE REQ. NO. W81G67-0341-6462		5. PROJECT NO.(If applicable) Little Falls	
6. ISSUED BY CONTRACTING DIVISION USACE - ST PAUL 190 5TH STREET ST PAUL MN 55101-1638		CODE DACW37		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. DACW37-01-B-0004	
				X		9B. DATED (SEE ITEM 11) 02-Apr-2001	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A.THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B.THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C.THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D.OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) A. The purpose of this amendment is to revise the technical specification and add additional bid notes and clauses. Continued on pages 2 and 3.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 20-Apr-2001	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Continued)

B. As a result of this amendment, the following changes are made to the solicitation document:

(1) Solicitation Contract Form, Section 00010 pg 8

Add the following schedule notes:

12. Bid Bonds

a. It is the responsibility of the bidder to include an acceptable bid guarantee with its bid. This bid note does not provide bidders with an all-inclusive checklist for submitting an acceptable bid bond – rather, it provides some “lessons learned” information as to the unacceptability of photocopied bid bonds.

b. This solicitation requires bidders to submit a bid guarantee along with their bids (see clause 52.228-1). One acceptable form of bid guarantee is a bid bond. For a bid to be responsive, the bid bond accompanying the bid must unequivocally bind the bonding company – if it does not, the bid must be rejected as nonresponsive. Please note that a nonresponsive bid may not be corrected after bid opening to make it responsive – it must be rejected. The Contracting Officer has the authority and responsibility to determine whether the bid bond and its accompanying documentation clearly show that the person(s) executing the bid bond on behalf of the surety have the authority to unequivocally bind the bonding company. In order for a bid bond to be acceptable, it must be accompanied by a valid power-of-attorney issued by the surety (the bonding company, not the insurance agency writing the bond).

c. Photocopied or faxed powers-of-attorney are not acceptable. In order for a power-of-attorney accompanying a bid bond to be acceptable, it must be: (i) an original power-of-attorney (containing original signatures and corporate seals), (ii) a copy of a power-of-attorney accompanied by an original certification (original means original signature and original corporate seal) by the secretary (or other authorized officer) of the surety stating that the copied power-of-attorney is still in full force and effect as of the date of the certification and has not been revoked, or (iii) a power-of-attorney with facsimile (stamped, printed or mechanically signed) signatures and facsimile corporate seals that: (A) contains language stating that the surety will be bound by facsimile seals and signatures and (B) also contains an ORIGINAL corporate seal at the certification block. (An original seal is (I) a raised, crimped seal, or (II) a paper or foil corporate seal that is manually attached to the power-of-attorney.)

13. For purposes of the clause entitled “52.219-4 -- Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Jan 1999)”, the term “otherwise successful offer” means the lowest responsive bid from a responsible bidder prior to the application of any evaluation preference required by this clause.

(2) Contract Clauses, Section 00700 pg 124

Add solicitation clause, 252.236-7004 Payment For Mobilization And Demobilization (Dec 1991)

(a) The Government will pay all costs for the mobilization and demobilization of all of the Contractor’s plant and equipment at the contract lump sum price for this item.

(1) 60% percent of the lump sum price upon completion of the contractor’s mobilization at the work site.

(2) The remaining 40% percent upon completion of demobilization.

(b) The Contracting Officer may require the Contractor to furnish cost data to justify this portion of the bid if the Contracting Officer believes that the percentages in paragraphs (a)(1) and (2) of this clause do not bear a reasonable relation to the cost of the work in this contract.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Continued)

(1) Failure to justify such price to the satisfaction of the Contracting Officer will result in payment, as determined by the Contracting Officer, of --

- (i) Actual mobilization costs at completion of mobilization;
- (ii) Actual demobilization costs at completion of demobilization; and
- (iii) The remainder of this item in the final payment under this contract.

(2) The Contracting Officer's determination of the actual costs in paragraph (b)(1) of this clause is not subject to appeal.

(End of Clause)

(3) General, Section 01000, page 01000-6, add the following paragraph:

3.1.3.3 Dredge Material Disposal Access Road

If the contractor uses the provided disposal area, the contractor shall remove an existing steel cable and 2 fence posts that currently block the access to the disposal site on the access road. In their place the contractor shall install a heavy-duty gate with a minimum 20-foot opening at the same location. The gate shall be tubular steel, similar to cattle fence gates available at a local fleet supply or feed store. The two gateposts shall be 4 inch steel pipe, or equal, embedded 6 feet with concrete backfill. An additional post shall be provided on each side of the gateposts with a diagonal wire or support to prevent the gate from tilting and to prevent access around the gate. Provide padlock and 6 keys. Submit shop drawings for review and approval.

(4) Stripping, Topsoil, and Seeding, Section 02925, page 02925-3, paragraph 2.1, line 8; Delete "10A Modified (10B) Native Western Tallgrass Prairie".

C. All other terms and conditions remain unchanged.